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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,276	11/27/2001	David B. Donahue	10547-0020-999	2346

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THE DIRECTV GROUP INC
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EXAMINER

HAMZA, FARUK

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/996,276	DONAHUE ET AL.	
	Examiner	Art Unit	
	Faruk Hamza	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 25-27 is/are pending in the application.
- 4a) Of the above claim(s) 24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 25-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Request for Continued Examination

1. This action is responsive to the communication filed on December 08, 2005. Claims 1-3, 17-20, 22 and 26 have been amended. Claim 24 has been canceled. Claims 1-23 and 25-27 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-8, 14-16, 17, 19, 22-23 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes (U.S. Patent Number 6,854,009) hereinafter referred as Hughes and further in view of Kumar (U.S. Patent Number 6,965,929) hereinafter referred as Kumar.

Hughes teaches the invention substantially as claimed including dynamically configures a suite of applications on the client without running the standard installation programs (See abstract).

As to claims 1, Hughes teaches a method for the automatic configuration of a bi-directional Internet protocol communication device, comprising providing a bi-directional IP device having a unique device identifier, associating the device

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identifier with a user identifier for a unique user of the IP communication device, and providing the IP device to the unique user (abstract; fig 14; Column 4, lines 12-25; Column 23, lines 43-67).

Providing the device identifier and the user identifier to an internet service provider (abstract)

Generating a configuration table listing device identifiers, their associated users and each user's basic configuration details and storing the configuration table in a server (Figs 10a-10G; Fig 14; abstract; Column 23, line 22 to Column 24, line 50);

Connecting the IP communication device to a network at a user site (abstract);

Broadcasting a request for basic configuration details for the IP device to the server over the network, where said request contains unique device ID identifying the user's basic configuration details in the configuration table from the device identifier, and transmitting the configuration details to the user site device (Column 2, lines 2-65).

Receiving the configuration details from the server and configuring said IP device with said basic configuration details (abstract; Column 23, lines 43-67).

Hughes does not explicitly teach the claimed limitation of configuration details including an IP address.

However, Kumar teaches the claimed limitation of configuration details including an IP address (Column 2, lines 12-23, 60-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hughes by adding IP address with configuration details, which will distinguish each device's identity, location and activities from other devices. One would be motivated to do so to enhance the system's communication.

Claims 17, 19, 22 and 26 do not teach or define any new limitation other than above claim 1 and therefore are rejected for similar reasons.

As to claim 4, Hughes teaches the method of claim 1, further comprising transmitting a configuration request for additional configuration details (Column 2, lines 2-65).

As to claim 5, Hughes teaches the method of claim 4, further comprising receiving said additional configuration details specific to said unique user (Column 2, lines 2-65).

As to claim 6, Hughes teaches the method of claim 5, further comprising configuring said bi-directional IP communication device with said additional configuration details (Column 4, lines 12-25; Column 23, lines 43-67).

As to claim 7, Hughes teaches the method of claim 1, further comprising, before said broadcasting step, the steps of:

connecting said bi-directional IP communication device to an analog telephone line (Fig. 5); and

powering said bi-directional IP communication device on (Fig. 5).

As to claim 8, Hughes teaches the method of claim 1, further comprising, before said broadcasting step, the step of automatically detecting a DSL communication circuit (Column 4, lines 39-65).

As to claim 14, Hughes teaches the method of claim 1, wherein said broadcasting and receiving steps occur automatically without any communication between said bi-directional IP communication device and a client computer coupled to said bi-directional IP communication device (abstract; fig 14; Column 4, lines 12-30; Column 23, lines 43-67).

As to claim 15, Hughes teaches the method of claim 1, further comprising, prior to said configuring step, the steps of:

assigning said unique bi-directional IP communication device identifier to said bi-directional IP communication device (abstract; fig 14; Column 4, lines 12-30; Column 23, lines 43-67); and

associating said unique bi-directional IP communication device identifier with said unique user (abstract; fig 14; Column 4, lines 12-30; Column 23, lines 43-67).

As to claim 16, Hughes teaches the method of claim 15, further comprising generating a configuration table listing bi-directional IP communication device identifiers and associated users (Column 2, lines 54-65).

As to claim 23, Hughes teaches the method of claim 22, wherein a configuration table listing device identifiers, their associated users, and each user's basic configuration is stored in the server (Column 2, lines 54-65).

As to claims 25 and 27, Hughes teaches a method comprising before said broadcasting step, the step of automatically detecting a dial-tone for the internet protocol (Column 11, lines 55-65).

3. Claim 2-3,9-13,18 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes and Kumar as applied above, and further in view of Suzuki (U.S. Patent Number 6,529,479) hereinafter referred as Suzuki.

As to claim 2,18 and 20 Hughes and Kumar teach the method of claim 1,17 and 19 respectively.

Hughes and Kumar do not explicitly teach the claimed limitation of Dynamic Host Configuration Protocol (DHCP) server.

However, Suzuki teaches the claimed limitation of Dynamic Host Configuration Protocol (DHCP) server (Column 3, lines 5-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hughes and Kumar by adding Dynamic Host Configuration Protocol (DHCP) server, which will provide dynamic IP addressing functionality. One would be motivated to do so to enhance the system's communication.

As to claim 3, Suzuki teaches the method of claim 2, wherein said receiving comprises obtaining said IP address from said DHCP server (Column 3, lines 5-19).

As to claim 9, Hughes and Kumar teach the method of claim 1.

Hughes and Kumar do not explicitly teach the claimed limitation of Permanent Virtual Circuit (PVC).

However, Suzuki teaches the claimed limitation of Permanent Virtual Circuit (PVC) (abstract, Column 3, lines 41-47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hughes and Kumar by adding Permanent Virtual Circuit (PVC), which will save bandwidth associated with circuit establishment. One would be motivated to do so to enhance the system's communication.

As to claim 10, Suzuki teaches the method of claim 9, wherein said determining comprises the step of ascertaining a VPI/VCI (Virtual Path Identifier/Virtual Channel Identifier) pair for said communications (Column 9, lines 9-23).

As to claim 11, Hughes and Kumar teach the method of claim 1.

Hughes and Kumar do not explicitly teach the claimed limitation of DHCP discover request.

Suzuki teaches the claimed limitation of DHCP discover request (Column 18, lines 1-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hughes and Kumar by adding Dynamic Host Configuration Protocol (DHCP) server, which will provide dynamic IP addressing

functionality. One would be motivated to do so to enhance the system's communication.

As to claim 12, Hughes and Kumar teach the method of claim 1.

Hughes and Kumar do not explicitly teach the claimed limitation of DHCP offer message from a DHCP server.

Suzuki teaches the claimed limitation of DHCP offer message from a DHCP server (Column 12, lines 8-11; Column 18, lines 1-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hughes and Kumar by adding Dynamic Host Configuration Protocol (DHCP) server, which will provide dynamic IP addressing functionality. One would be motivated to do so to enhance the system's communication.

As to claim 13, Hughes and Kumar teach the method of claim 1.

Hughes and Kumar do not explicitly teach the claimed limitation of requesting DHCP request and receiving acknowledgement.

Suzuki teaches the claimed limitation of requesting DHCP request and receiving acknowledgement (Column 12, lines 8-11; Column 18, lines 1-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hughes and Kumar by adding Dynamic Host Configuration Protocol (DHCP) server, which will provide dynamic IP addressing functionality. One would be motivated to do so to enhance the system's communication.

As to claim 21, Hughes teaches the method of claim 11, wherein a configuration table listing device identifiers, their associated users, and each user's basic configuration is stored in the server (Column 2, lines 54-65).

Response to Arguments

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Keane et al. (U.S. Patent Number 6,996,628) discloses Method and system for managing virtual addresses for virtual networks.
 - Ryu (U.S. Patent Number 6,697,852) discloses oneclick installation for client-server package.
 - Hada et al. (U.S. Patent Number 6,665,713) discloses automatic configuration system.
 - Bell (U.S. Patent Number 6,678,721) discloses system and method for establishing point-to-multipoint DSL network.

- Ah Sue (U.S. Patent Number 6,993,048) discloses method for automatically configuring PVC.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER